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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,056	11/10/2000	Lisa A. Demko	60709-00013	4136

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EXAMINER

WINTER, JOHN M

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 01/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/710,056

Applicant(s)

DEMKO ET AL.

Examiner

John M Winter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6,7,12,13,15,18-20,24 and 25 is/are rejected.
- 7) ☒ Claim(s) 2,3,5,8-11,14,16,17,21-23,26 and 27 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

Claims 1-27 remain pending

Response to Arguments

The Applicants arguments filed on October 28, 2003 have been fully considered.

The Examiner states that the Section 101 objection to claims 1-14 has been withdrawn

The Applicant states that neither the Ruffin, (US Patent No 6,219,654) or Conklin et al. (US Patent No 6,141,653) references disclose the amended features of "enabling the coordinator to analyze the proposed deal, validate the information supporting the proposed deal, assign a risk manager to the proposed deal, and select a list of reviewers for the proposed deal; utilizing a computer system to transmit the proposed deal to a coordinator associated with the business entity; utilizing the computer system to transmit the proposed deal from the coordinator to the risk manager and receiving a review summary from the risk manager including a recommendation as to whether to approve the proposed deal."

The Examiner states that these features are in the newly discovered reference Guinta et al. (US Patent 6,161,101).

The Examiner states that Official Notice of claims 3,5,8-11,14,17,21,22,23,26,27 is withdrawn.

See following rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,4,6,7,12,13,15,18-20,24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruffin, (US Patent No 6,219,654) in view of Conklin et al. (US Patent No 6,141,653) and further in view of Guinta et al. (US Patent 6,161,101).

As per claim 1,

Ruffin ('654) discloses a method for increasing efficiency of multi-level review of proposed business deals using an organizational management tool, the tool configured with a database of deals and a plurality of authorized reviewers for the deals, said method comprising the steps of:

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creating a proposed deal by a user at a business unit included within a business entity, the proposed deal includes at least one of a detailed description of the proposed deal, a deal pitch, information supporting the proposed deal, and a cover letter, the proposed deal further includes a maximum approver associated with the business entity wherein the user selects the maximum approver based on at least one of approval limitations and deal type. (Column 6, lines 28-32)

enabling the coordinator to analyze the proposed deal, validate the information supporting the proposed deal, assign a risk manager to the proposed deal, and select a list of reviewers for the proposed deal. (Column 2, lines 6-18; also figure 3);

Ruffin ('654) does not specifically disclose forwarding the proposed deal including the risk managers recommendation to a next review level within the business entity and analyzing the deal including the risk managers recommendation, Conklin et al. ('653) discloses forwarding the proposed deal including the risk managers recommendation to a next review level within the business entity (Column 25, lines 12-20) and analyzing the deal including the risk managers recommendation, (Column 25, lines 6-18) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Ruffin method with the Conklin et al. method in order to reject deals that are obviously nonprofitable.

Conklin et al. discloses the claimed invention except for repeating steps f and g until a maximum approver accepts or declines the deal, It would have been obvious to one having ordinary skill in the art at the time the invention was made to repeat steps c and d until the next review level is the maximum approver wherein the maximum approver is then enabled to accept or decline the deal, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Ruffin ('654) does not specifically disclose Utilizing a computer system to transmit the proposed deal to a coordinator associated with the business entity; utilizing the computer system to transmit the proposed deal from the coordinator to the risk manager; receiving a review summary from the risk manager including a recommendation as to whether to approve the proposed deal. Guinta et al. ('101) discloses Utilizing a computer system to transmit the proposed deal to a coordinator associated with the business entity; (figure 7A) utilizing the computer system to transmit the proposed deal from the coordinator to the risk manager; (figure 7A) receiving a review summary from the risk manager including a recommendation as to whether to approve the proposed deal (Figure 8) It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Ruffin method with the Guinta et al. method in order to reject deals that are obviously nonprofitable.

Claim 15 is in parallel with claim 1 and is rejected for the same reasons.

As per claim 4,

Ruffin ('654) discloses a method according to Claim 1, wherein said step of creating a proposed deal further comprises the step of notifying a coordinator of the proposed deal. (Figure 10)

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As per claim 6,
Ruffin ('654) discloses a method according to Claim 1,
wherein said step of utilizing the computer system to transmit the proposed deal from the coordinator to the risk manager further comprises the step of enabling the risk manager to recommend at least one of approve the proposed deal, approve the proposed deal with conditions and decline the proposed deal.(Figure 10)

As per claim 7,
Ruffin ('654) discloses a method according to Claim 1,
Ruffin ('654) does not specifically disclose adding comments regarding the proposed deal, Conklin et al. ('653) discloses adding comments regarding the proposed deal (Figure 15B). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Ruffin method with the Conklin et al. method in order to preserve IP associated with the project.

As per claim 12,
Ruffin ('654) discloses a method according to Claim 1,
further comprising the step of notifying a submitter of the proposed deal of a resolution regarding the deal (Figure 10).

As per claim 13,
Ruffin ('654) discloses a method according to Claim 1,
further comprising the step of storing a review status of a proposed deal.(Column 8, lines 48-60; also Figure 10)

As per claim 18,
Ruffin ('654) discloses a system according to Claim 15
wherein said server is further configured to notify a coordinator that a proposed deal has been submitted.(Figure 10)

As per claim 19,
Ruffin ('654) discloses a system according to Claim 15,
wherein said server is further configured to upload and store recommendations regarding the proposed deal. (Figure 10)

As per claim 20,
Ruffin ('654) discloses system according to Claim 15,
Ruffin ('654) does not specifically disclose server is further configured to upload and store comments regarding the proposed deal, Conklin et al. ('653) discloses server is further configured to upload and store comments regarding the proposed deal (Figure 15B). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the Ruffin method with the Conklin et al. method in order to preserve intellectual property associated with the project.

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As per claim 24,
Ruffin ('654) discloses a system according to Claim 15
wherein said server is further configured to notify a submitter of the proposed
deal when a resolution regarding the proposed deal has been uploaded.(Figure 10)

As per claim 25,
Ruffin ('654) discloses a system according to Claim 15 wherein said server is
further configured to store a review status of a proposed deal. (Column 8, lines 48-60;
also Figure 10)

Allowable Subject Matter

Claims 2, 3, 5, 8-11, 14, 16, 17, 21, 22, 23, 26, 27 are objected to as being
dependent upon a rejected base claim, but would be allowable if rewritten in independent
form including all of the limitations of the base claim and any intervening claims and
complying with double patenting statutes.

Any comments considered necessary by applicant must be submitted no later than
the payment of the issue fee and, to avoid processing delays, should preferably
accompany the issue fee. Such submissions should be clearly labeled "Comments on
Statement of Reasons for Allowance."

Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the
references as applied to the claims above for the convenience of the applicant. Although
the specified citations are representative of the teachings of the art and are applied to the
specific limitations within the individual claim, other passages and figures may apply as
well. It is respectfully requested from the applicant in preparing responses, to fully
consider the references in entirety as potentially teaching all or part of the claimed
invention, as well as the context of the passage as taught by the prior art or disclosed by
the examiner.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to John M Winter whose telephone number is (703) 305-
3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

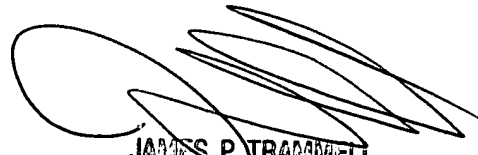
If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, James P Trammell can be reached on (703)305-9768. The fax phone
numbers for the organization where this application or proceeding is assigned are (703)
305-7687 for regular communications and (703) 305-7687 for After Final
communications.

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is (703) 308-
1113.

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JMW

January 12, 2004



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
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